

UNITED STATES DISTRICT COURT
DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of

THE COMMONWEALTH OF PUERTO RICO, *et al.*,

PROMESA
Title III

No. 17 BK 3283-LTS
(Jointly Administered)

Debtors.¹

**NOTICE OF WITHDRAWAL OF THE PUERTO RICO FISCAL AGENCY AND
FINANCIAL ADVISORY AUTHORITY'S STIPULATION WITH THE OVERSIGHT
BOARD AND CONFIRMATION HEARING EXHIBITS**

To the Honorable United States District Judge Laura Taylor Swain:

The Puerto Rico Fiscal Agency and Financial Advisory Authority (“AAFAF”), through undersigned counsel, hereby withdraws AAFAF’s request for the Court to approve the October 25, 2021 stipulation (“Stipulation”) that AAFAF executed with the Financial Oversight and Management Board for Puerto Rico (“Oversight Board”),² and withdraws the hearing exhibits

¹ The Debtors in these Title III cases, along with each Debtor’s respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor’s federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (the “Commonwealth”) (Bankruptcy Case No. 17-BK-3283 (LTS)) (Last Four Digits of Federal Tax ID: 3481), (ii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico (“ERS”) (Bankruptcy Case No. 17-BK-3566 (LTS)) (Last Four Digits of Federal Tax ID: 9686), (iii) Puerto Rico Highways and Transportation Authority (“HTA”) (Bankruptcy Case No. 17-BK-3567 (LTS)) (Last Four Digits of Federal Tax ID: 3808), (iv) Puerto Rico Sales Tax Financing Corporation (“COFINA”) (Bankruptcy Case No. 17-BK-3284 (LTS)) (Last Four Digits of Federal Tax ID: 847), (v) Puerto Rico Electric Power Authority (“PREPA”) (Bankruptcy Case No. 17-BK-4780 (LTS)) (Last Four Digits of Federal Tax ID: 3747), and (vi) Puerto Rico Public Buildings Authority (“PBA”) (Bankruptcy Case No. 19-BK-5523 (LTS)) (Last Four Digits of Federal Tax ID: 3801).

² AAFAF’s Amended Exhibit List and Filing of Fact Stipulation in Connection with Plan of Adjustment Confirmation (Oct. 25, 2021) (ECF No. 18733) (“Stipulation Approval Request”). The Stipulation was filed as an exhibit to the Stipulation Approval Request at ECF No. 18733-1.

(“AAFAF Exhibits”) that AAFAF submitted³ in connection with the Confirmation Hearing,⁴ and states as follows:

1. On October 25, 2021, AAFAF filed the Stipulation Approval Request, which requested the Court to approve the Stipulation. The Court has not yet ruled on the Stipulation Approval Request.

2. On October 27, 2021, in accordance with the Court’s Procedures Order, AAFAF filed the AAFAF Exhibits List, which attached as exhibits the AAFAF Exhibits.

3. AAFAF is filing concurrently with this motion a notice of withdrawal (“Objection Withdrawal”) of AAFAF and the Governor of Puerto Rico’s (“Governor”) limited objection to the Plan of Adjustment (“Limited Objection”).⁵ The Objection Withdrawal explains that the Limited Objection is no longer necessary because the Commonwealth has enacted Act 53-2021 and the Oversight Board has modified the Plan of Adjustment to eliminate the “Monthly Benefit Modification” present in the prior version of the Plan of Adjustment.

4. For the same reason, AAFAF no longer needs the Court to approve the Stipulation, and no longer needs to present the AAFAF Exhibits at the Confirmation Hearing, and therefore withdraws the Stipulation Approval Request (including the Stipulation attached thereto) and the AAFAF Exhibit List (and the AAFAF Exhibits attached thereto).

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³ *AAFAF’s Amended Exhibit List in Connection with the Exhibit Order* (Oct. 27, 2021) (ECF No. 18812) (“AAFAF Exhibit List”). The AAFAF Exhibits were filed as exhibits to the AAFAF Exhibit List at ECF Nos. 18812-1 through 18812-28.

⁴ Capitalized terms used but not otherwise defined herein have the meanings ascribed to them in the *Second Amended Order Regarding Procedures for Hearing on Confirmation of Plan Of Adjustment* (Nov. 2, 2021) (ECF No. 19012-1) (“Procedures Order”).

⁵ *Notice of Withdrawal of the Governor of Puerto Rico and the Puerto Rico Fiscal Agency and Financial Advisory Authority’s Limited Objection to (I) the Seventh Amended Title III Joint Plan of Adjustment of the Commonwealth of Puerto Rico, et al.; and (II) the Proposed Order and Judgment Confirming the Plan* (Nov. 6, 2021).

Dated: November 6, 2021
San Juan, Puerto Rico

Respectfully submitted,

O'MELVENY & MYERS LLP

/s/ John J. Rapisardi
John J. Rapisardi
Maria J. DiConza
Matthew P. Kremer
(Admitted *Pro Hac Vice*)
7 Times Square
New York, NY 10036
Telephone: (212) 326-2000
Facsimile: (212) 326-2061
Email: jrapisardi@omm.com
mdiconza@omm.com
mkremer@omm.com

-and-

Peter Friedman
(Admitted *Pro Hac Vice*)
1625 Eye Street, NW
Washington, DC 20006
Telephone: (202) 383-5300
Facsimile: (202) 383-5414
Email: pfriedman@omm.com

*Attorneys for the Puerto Rico Fiscal Agency
and Financial Advisory Authority*

MARINI PIETRANTONI MUÑIZ LLC

/s/ Luis C. Marini-Biaggi
Luis C. Marini-Biaggi
USDC No. 222301
Carolina Velaz-Rivero
USDC No. 300913
250 Ponce de León Ave., Suite 900
San Juan, Puerto Rico 00918
Tel: (787) 705-2171
Fax: (787) 936-7494

*Attorneys for the Puerto Rico Fiscal Agency
and Financial Advisory Authority*